

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

WADE THOMAS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:02-cv-969-GPM
)	
TWYLA WALTON, et al.,)	
)	
Defendants.)	

ORDER

This matter is before the Court on the Motion to Continue (Doc. 46) and the Motion for Leave to Take Written Depositions (Doc. 47), filed by the plaintiff, Wade Thomas, on July 6, 2006. The Motions are **GRANTED**.

Thomas filed his Motion for a Continuance and his Motion for Leave to Take Written Depositions on July 6, 2005, requesting additional time to complete discovery. Specifically, he requested additional time to take written depositions of incarcerated witnesses. The discovery deadline was August 1, 2005, therefore, Thomas' request was timely. Defendants Sam Riley, Ken Bartley, Curt Sawyer, Eric Plott, Ed Wagoner, Derk Wright, Terry Caliper, Jon Schram, Paul Hilliard, Jeff Bundren, Mike McClelland, Tim Cook, David Folsom, James Studer, Bret Neighbors, Henry Waller, Frank Rice, and James Russell have no objection to Thomas conducting depositions by written questions. The Court will reopen discovery until April 21, 2006 for the limited purposes of conducting written depositions of incarcerated witnesses.

However, Thomas must comply with Federal Rule of Civil Procedure 31, and specifically Rule 31(b) by making arrangements for the incarcerated witnesses to respond to the questions before a court reporter.

DATED: February 13, 2006.

s/ Donald G. Wilkerson
DONALD G. WILKERSON
United States Magistrate Judge